

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 369

Suppression under the Plenary Powers of the generic names *Tylos* Meigen, 1800 (Class Insecta, Order Diptera) and *Tylos* Heyden, 1826 (Class Arachnida) and validation thereby of the generic names *Tylos* Audouin, [1826] (Class Crustacea, Order Isopoda) and *Micropeza* Meigen, 1803 (Class Insecta, Order Diptera)

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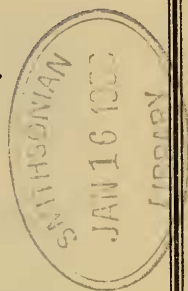
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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 369

SUPPRESSION UNDER THE PLENARY POWERS OF THE GENERIC NAMES "TYLOS" MEIGEN, 1800 (CLASS INSECTA, ORDER DIPTERA) AND "TYLOS" HEYDEN, 1826 (CLASS ARACHNIDA) AND VALIDATION THEREBY OF THE GENERIC NAMES "TYLOS" AUDOUIN, [1826] (CLASS CRUSTACEA, ORDER ISOPODA) AND "MICROPEZA" MEIGEN, 1803 (CLASS INSECTA, ORDER DIPTERA)

RULING :—(1) Under the Plenary Powers the under-mentioned generic names are hereby suppressed for the purposes both of the Law of Priority and of the Law of Homonymy :—

- (a) *Tylos* Meigen, 1800 (Class Insecta, Order Diptera) ;
- (b) *Tylos* Heyden, 1826 (Class Arachnida).

(2) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* with the Name Nos. 891 and 892 respectively :—

- (a) *Tylos* (Latreille MS.) Audouin, [1826] (gender : masculine) (type species, by monotypy : *Tylos latreillei* Audouin, [1826]) (Class Crustacea, Order Isopoda) ;
- (b) *Micropeza* Meigen, 1803 (gender : feminine) (type species, by monotypy : *Musca corrigiolata* Linnaeus, 1767) (Class Insecta, Order Diptera).

(3) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* with the Name Nos. 512 and 513 respectively :—

- (a) *latreillei* Audouin, [1826], as published in the combination *Tylos latreillei* (specific name of type species of *Tylos* Audouin, [1826]) ;
- (b) *corrigiolata* Linnaeus, 1767, as published in the combination *Musca corrigiolata* (specific name of type species of *Micropeza* Meigen, 1803).

(4) The generic names specified in (1) above and as there suppressed under the Plenary Powers are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name Nos. 307 and 308 respectively.

I.—THE STATEMENT OF THE CASE

On 6th November 1950 Professor Martin L. Aczél (*Institute of Entomology, National University of Tucumán, Argentina*) submitted the following application for the acceptance of the generic name *Tylos* Meigen, 1800, in preference to the name *Micropeza* Meigen, 1803 (Class Insecta, Order Diptera):—

Proposed addition of the generic name “*Tylos*” Meigen, 1800 (Class Insecta, Order Diptera) to the “Official List of Generic Names in Zoology” and of “*Micropeza*” Meigen, 1803, to the “Official Index of Rejected and Invalid Generic Names in Zoology”

By MARTIN L. ACZÉL

(*Institute of Entomology, National University of Tucumán, Tucumán, Argentina*)

(Extract from a letter dated 6th November 1950, with enclosure)

Wanting to assist in stabilizing the nomenclature of Dipterology, I submit the following request for a Meigen (1800) name in the family TYLIDAE to be placed on the *Official List*.

This is a simple case of synonymy of a Meigen (1800) name with the genus *Tylos* Meigen, 1800 (*Nouvelle Classification des Mouches à deux Ailes* : 31) which is recognizable from the original description and *Micropeza* Meigen, 1803 (*Mag. f. Insektenk.* (Illiger) 2 : 276) which is quite obviously a synonym. In accordance with the *Opinion* 152 as supplemented by the conclusions of the Fourteenth Meeting of the International Commission on Zoological Nomenclature in Paris (1950, *Bull. zool. Nomencl.* 4 : 552—558), application is hereby made for the Commission to place the name *Tylos* Meigen, 1800 (type species by subsequent selection by Coquillett, 1910 (*Proc. U.S. nat. Mus.*

37 (No. 1719) : 618) : *Musca corrigiolata* Linnaeus) on the *Official List of Generic Names in Zoology* and that the name *Micropeza* Meigen, 1803 (type species by original designation : *Musca corrigiolata* Linnaeus) be sunk as a synonym of *Tylos*.

Before 1908 the name *Tylos* was used scarcely, if at all. Between 1908 and 1932 it was used occasionally. Hendel treated several species under the names *Tylos*, using the family name TYLIDAE in 1931 (*Bull. Soc. ent. Egypte*, 2 : 61) and in 1932 (*Konowia* 11 : 120—121). In 1930 L. Czerny (in Lindner, *Die Fliegen pal. Region* 42a. Tylidae), treated this family using the name TYLIDAE and placed ten species in the genus *Tylos*.

The last leading worker on this family, Willi Hennig, in his world revision of TYLIDAE, 1934—1936 (1934, *Stett. ent. Ztg.* 95 : 65—108, 294—330 ; 1935, *ibid.* 96 : 27—67 ; *Konowia* 14 : 68—92, 192—216, 289—310 ; 1936, *Konowia* 15 : 129—144, 201—239) as well as in his other papers published between 1934 and 1941 used the family name TYLIDAE and the generic name *Tylos*, feeling morally obliged to follow the International Rules of Zoological Nomenclature, the *Opinions* concerning the Meigen 1800 names, and the principle of priority.

It should be noted also that Professor M. James in 1946 ("The dipt. family Tylidae in Colorado", *Ent. News* 57 : 128—131) used also the legitimate names TYLIDAE and *Tylos*. My own publications in which I have used these names are as follows :

1950, "Notes on Tylidae I. The Palaearctical Tylidae of the Hungar. Mus.", *Acta zool. Lilloana* (1949) 8 : 161—196.

1950, "Notes on Tylidae II. Argentine species of the subfamily Tylinae in the Ent. Coll. of the Miguel Lillo Foundation", *loc. cit.* 8 : 219—280.

1950, *Catalogo de la familia de las Tylidae*, *loc. cit.* 8 : 309—389.

The following paper is in the hands of the printer due for publication in the near future : "Morfologia externa y división sistemática de las Tanypezidiformes, con sinopsis de las especies argentinos de Tylidae y Neriidae. 120 manuscript pages for publication in the next volume of the *Acta zool. Lilloana*".

In the past ten years W. Hennig, Professor James and I, have used the same names on our identifications on these flies, examining collections from the major museums throughout the United States and Europe, from all the zoogeographical regions.

The family and the genus is of no importance from an economic standpoint, having saprophagous larvae, and the workers in applied entomology would not be affected by the official adoption of the name *Tylos* and TYLIDAE.

According to successive volumes of the *Zoological Record*, just a single reference to *Micropeza* and MICROPEZIDAE has appeared in the literature since 1936. This was a short note on British MICROPEZIDAE by Mr. J. E. Collin (1945, *Ent. Rec.* 57 : 115—119).

Conclusions :

The continued acceptance of the generic name *Tylos* Meigen, 1800, and the family name TYLIDAE, in preference to *Micropeza* Meigen, 1803, and MICROPEZIDAE, should not cause any degree of disturbance and would certainly create more uniformity and stability than confusion. The writer accordingly requests the International Commission on Zoological Nomenclature to place :—

- (1) the generic name *Tylos* Meigen, 1800, *Nouv. Class. Mouches* : 31 (type species by subsequent selection by Coquillett (1910) : *Musca corrigiolata* Linnaeus, 1767) on the *Official List of Generic Names in Zoology* ;
- (2) the generic name *Micropeza* Meigen, 1803 (an objective synonym of *Tylos* Meigen, 1800) on the *Official Index of Rejected and Invalid Generic Names in Zoology* ;
- (3) the trivial name *corrigiolata* Linnaeus, 1767, *Syst. Nat.* (ed. 12) 1(2) : 955, as published in the binominal combination *Musca corrigiolata*, on the *Official List of Specific Trivial Names in Zoology*.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : Upon the receipt of Professor Aczél's application, the question of the acceptance or rejection of the generic name *Tylos* Meigen, 1800, was allotted the Registered Number Z.N.(S.) 501.

3. Comments received prior to the publication of Professor Aczél's application : Some years prior to the receipt of Professor Aczél's application in the present case Dr. John Smart (then of the

British Museum (Natural History), London and now of the *Department of Zoology, Cambridge University, Cambridge*) had communicated to Mr. Hemming the draft of a projected paper on the Meigen problem in which he had analysed in detail those cases, including the present, where family names were at stake and had recommended in each case that of the two rival generic names concerned that published by Meigen in 1800 should be rejected. Accordingly, on the receipt of Professor Aczél's letter Mr. Hemming notified Dr. Smart of the proposal submitted, in order to give him an opportunity of furnishing a statement of his views for the consideration of the Commission. At the same time Mr. Hemming informed Dr. Alan Stone (*United States Department of Agriculture, Agricultural Research Service, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.*), who was known to be a staunch supporter of the Meigen (1800) names, of the application received from Professor Aczél, and invited him to submit a statement of his views on this case.

4. Counter-proposal submitted by Dr. John Smart (Cambridge University, Department of Zoology, Cambridge) : On 12th January 1951, Dr. John Smart (*Cambridge University, Department of Zoology, Cambridge*) submitted the following counter-proposal in which he asked that the Commission should not only reject Professor Aczél's proposal that the name *Tylos* Meigen, 1800, should be placed on the *Official List of Generic Names in Zoology* but also that it should use its Plenary Powers for the purpose of suppressing that generic name in order to validate the name *Micropeza* Meigen, 1803, the name which, prior to the resurrection of the Meigen (1800) names, had been widely used for the genus concerned and was still so used by many authors :—

**Proposed use of the Plenary Powers to validate the name
“*Micropeza* ” Meigen, 1803, and to suppress the name
“*Tylos* ” Meigen, 1800 (Class Insecta, Order Diptera)**

By JOHN SMART, M.A., D.Sc.

(*University of Cambridge, Department of Zoology, Cambridge*)

The object of the present application is to seek the use by the International Commission on Zoological Nomenclature of its Plenary Powers for the purpose of validating the generic name *Micropeza* Meigen, 1803, by suppressing the name *Tylos* Meigen, 1800 (Class Insecta, Order Diptera).

The following are the relevant particulars relating to the foregoing names :—

- (1) *Tylos* Meigen, 1800, *Nouv. Class. Mouches* : 31.

No named species were cited by Meigen as belonging to this genus. Hendel was the first author to cite a species by name as belonging to this genus (Hendel, 1908, *Verh. zool.-bot. Ges. Wien* 58 (2/3) : 60). The sole species so cited by Hendel was *Musca corrigiolata* Fabricius, i.e. *Musca corrigiolata* Linnaeus, 1767 (*Syst. Nat.* (ed. 12) 1(2) : 995). That species is therefore the type species of *Tylos* Meigen, by monotypy. (The same species was later selected as the type species of this genus by Coquillett (1910) who regarded *Micropeza* as only a change of name.)

- (2) *Micropeza* Meigen, 1803, *Mag. f. Insektenk.* (Illiger) 2 : 276.

Meigen cited only *Musca corrigiolata* Linnaeus, 1767, which is therefore the type species by monotypy.

The name *Tylos* was completely ignored by Dipterists until Hendel (1908) suggested that it might be synonymous with *Micropeza*. (He indicated his doubt by inserting a “?” before *Micropeza*, which was placed in the text in the position of a synonym.) Subsequent authors who favoured the use of the Meigen (1800) names accepted the synonymy without question.

That *Musca corrigiolata* Fabricius is the same species as *Musca corrigiolata* Linnaeus is agreed among specialists, and the species concerned is well-recognized.

The genus *Micropeza* Meigen, 1803, is the type genus of a distinctive family of the Order Diptera—the MICROPEZIDAE—the Stilt-Legged Flies. This genus and family have always been known by these names, except by those specialists who, following Hendel, have used the generic name *Tylos* Meigen, 1800, and the family name TYLIDAE.

It is clearly very desirable that an end should be put as soon as possible to the current divergence of practice in this matter by an authoritative ruling as to which of these names should be used. Having regard to the preponderant use in literature of the name *Micropeza* during the last century and a half, I am of the opinion that the best course would be to establish that name in preference to the name *Tylos*. I accordingly suggest that the International Commission on Zoological Nomenclature should :—

- (1) use its Plenary Powers (a) to suppress the name *Tylos* Meigen, 1800, for the purposes of the Law of Priority but not for those of the Law of Homonymy, and (b) to validate the name *Micropeza* Meigen, 1803 ;

- (2) place the generic name *Micropeza* Meigen, 1803 (type species by monotypy : *Musca corrigiolata* Linnaeus, 1767) (gender of generic name : feminine) on the *Official List of Generic Names in Zoology* ;
- (3) place the generic name *Tylos* Meigen, 1800 (gender of generic name : masculine) as proposed under (1) (a) above, to be suppressed under the Plenary Powers, on the *Official Index of Rejected and Invalid Generic Names in Zoology* ;
- (4) place the trivial name *corrigiolata* Linnaeus, 1767, as published in the binominal combination *Musca corrigiolata*, on the *Official List of Specific Trivial Names in Zoology*.

5. Support for Professor Aczél's proposal received from Dr. Alan Stone (U.S. Department of Agriculture, Washington, D.C.) : On 30th January 1951 Dr. Alan Stone (*United States Department of Agriculture, Agricultural Research Service, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.*) addressed the following letter to the Commission in support of the application submitted by Professor Aczél :—

The case for *Tylos* versus *Micropeza* is essentially the same as for *Dorilas* versus *Pipunculus*, although the use of *Tylos* has possibly been even more extensive than that of *Dorilas*. Aczél, Hennig, Czerny and Hendel, have all used the generic name *Tylos*, and the family name TYLIDAE in important revisionary works. Cresson is the most important worker in the family who has stuck to *Micropeza* and MICROPEZIDAE. James, Seguy, and de Meijere have also used TYLIDAE, as did Kloet & Hincks in their *Check List of British Insecta*. Most of the important papers of the last fifteen years have used the name *Tylos*.

It seems unnecessary to repeat the general arguments that I gave in my letter concerning *Dorilas*¹ that are equally applicable here.

6. Publication of the present application : Professor Aczél's application and Dr. Smart's counter-proposal were sent to the printer in January 1951 and Dr. Stone's note of support for Professor Aczél's proposal was similarly despatched immediately upon its receipt at the beginning of February 1951. All three documents were published on 4th May 1951 in Part 5 of volume 2

¹ For the application and associated documents here referred to see 1950, *Bull. Zool. Nomencl.* 2 : 140—149. No decision has yet been taken by the Commission in regard to the name *Dorilas*.

of the *Bulletin of Zoological Nomenclature* (Aczél, 1951, *Bull. zool. Nomencl.* 2 : 156—157 ; Smart, 1951, *ibid.* 2 : 158—159 ; Stone, 1951, *ibid.* 2 : 160).

7. Issue of Public Notices : Under the revised arrangements prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56) Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 4th May 1951 (a) in Part 5 of volume 2 of the *Bulletin of Zoological Nomenclature* (the Part in which Dr. Smart's counter-proposal was published) and (b) to the other prescribed serial publications. In addition, Public Notice was given to certain general zoological serial publications and to a number of entomological serials in Europe and America.

8. Nature of the comments received in response to the Public Notice issued : The comments received in response to the Public Notice issued fall into four groups :—(a) comments from entomologists supporting Professor Aczél's application to recognise *Tylos* Meigen, 1800 ; (b) communications from entomologists supporting Dr. Smart's counter-proposal that the name *Tylos* Meigen, 1800, should be suppressed in favour of *Micropeza* Meigen, 1803 ; (c) communications from specialists in the Order Isopoda (Class Crustacea) objecting to Professor Aczél's proposal and supporting Dr. Smart's counter-proposal on the ground that the acceptance of the name *Tylos* Meigen, 1800, in the Order Diptera (Class Insecta) would involve the rejection in the Order Isopoda of the long-established generic name *Tylos* (Latreille MS.) Audouin, [1826] ; (d) comments from general zoologists supporting the suppression of the name *Tylos* Meigen, 1800, in favour of *Tylos* Audouin, [1826]². The following are the comments so received, grouped under the foregoing headings :—

(a) *Dipterist supporting the acceptance of the name "Tylos" Meigen, 1800 (Professor Aczél's proposal), one (1) :*

W. Hennig (*Deutsches Entomologisches Institut, Berlin*) ;

(b) *Dipterists supporting the suppression of the name "Tylos" Meigen, 1800, and supporting the validation of "Micropeza" Meigen, 1803 (Dr. Smart's counter-proposal), two (2) :*

² For a note on the authorship and date here attributed to this name see paragraph 19 of the present *Opinion*.

C. P. Alexander (*University of Massachusetts, Amherst, Mass., U.S.A.*) ;

F. R. Shaw (*University of Massachusetts, Department of Entomology, Amherst, Mass., U.S.A.*) ;

- (c) *Specialists in the Class Crustacea supporting the suppression of the name "Tylos" Meigen, 1800 (Class Insecta) and the validation of the name "Tylos" Audouin, [1826]³ (Class Crustacea, Order Isopoda), four (4) :*

A. Vandel (*Laboratoire de Zoologie, Université de Toulouse, France*) ;

L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) ;

Werner Herold (*Humboldt-Universität zu Berlin*) ;

Isobel Gordon (*British Museum (Natural History), London*) ;

- (d) *General zoologists supporting the suppression of "Tylos" Meigen, 1800, and the validation of "Tylos" Audouin, [1826]³, one (1) :*

Charles H. Blake (*Massachusetts Institute of Technology, Department of Biology, Cambridge, Mass., U.S.A.*).

The communications referred to above are reproduced in the foregoing order in the immediately following paragraphs.

9. Support for Professor Aczél's proposal received from Dr. W. Hennig (Deutsches Entomologisches Institut, Berlin) : On 22nd May 1951 Dr. W. Hennig (*Deutsches Entomologisches Institut, Berlin*) addressed the following letter to the Commission in support of the proposals recently published in the *Bulletin of Zoological Nomenclature* for the acceptance of certain generic names published by Meigen in 1800, including the name *Tylos* Meigen, 1800 (Hennig, 1951, *Bull. zool. Nomencl.* **2** : 348) :—

Asked by Professor E. M. Hering for a comment on the various proposals concerning the names of Dipterous genera (*Bull. zool. Nomencl.*, Vol. 2, Part 5) I wish to bring forward the following considerations :—

It is deeply to be regretted that the names of Meigen, 1800, were unearthed by Hendel (1908) and at that time every effort to suppress those names should have been supported.

³ See footnote 2.

Since, however, the suppression of the names of Meigen, 1800, *in toto* was rejected by *Opinion* 28, they were used in several fundamental publications such as Lindner's "Fliegen der paläarktischen Region" and other important revisionary works as pointed out by Aczél, Hardy, and Stone.

Every attempt to restore the names of Meigen, 1800, is, therefore, now 30 to 40 years too late and contributes to augmentation rather than diminution of confusion.

This is especially true in the case of the names *Tylos*, *Dorilas*, and also *Philia* and *Tendipes*, though for these latter two perhaps not quite to the same extent.

For this reason I fully agree with Aczél, Hardy, and Stone in the proposal to use the names *Tylos*, *Dorilas*, *Philia* and *Tendipes* instead of *Micropeza*, *Pipunculus*, *Dilophus*, and *Chironomus* respectively.

It is quite another situation with *Titania* versus *Chlorops*. *Titania* has never been used in recent publications. Its introduction in the place of the well-known and very important name *Chlorops* would lead, therefore, to considerable disadvantage and confusion, especially in the literature of economic entomology. I think that there will be general agreement in this case with the proposal of Dr. Sabrosky.

10. Supplementary statement furnished by Dr. Hennig : At the time when Dr. Hennig furnished the statement reproduced in paragraph 9 above, it was erroneously believed that the issue involved in the present case was limited to the question of which of two competing names (*Tylos* Meigen, 1800, and *Micropeza* Meigen, 1803) should be used for a given genus in the Order Diptera in the Class Insecta. When later (as explained in paragraph 8 above) it became apparent that, in addition to the foregoing problem, the present case raised the issue also whether the name *Tylos* Meigen in the Order Diptera should be permitted to invalidate the name *Tylos* Audouin, [1826], in the Order Isopoda (Class Crustacea), Mr. Hemming, as Secretary, judged it desirable to ascertain whether in the light of this development Dr. Hennig still held the views on the original issue involved expressed in his letter of 22nd May 1951 (paragraph 9 above). On this question Dr. Hennig replied as follows :—

*Letter dated 6th March 1952 from Dr. W. Hennig to the
Secretary to the Commission*

In spite of the importance attached by Dr. Herold to the name *Tylos* Latreille in Isopods I am of the opinion that *Tylos* Meigen

(and consequently the family name TYLIDAE) in Diptera should be retained unless a general list of *nomina conservanda* (in which *Tylos* Latreille possibly could be included) be validated by the nomenclatural authorities.

11. Support for Dr. Smart's counter-proposal received from Professor C. P. Alexander (University of Massachusetts, Amherst, Mass., U.S.A.) : On 8th October 1951 Professor C. P. Alexander (*University of Massachusetts, Amherst, Mass., U.S.A.*) addressed the following letter to the Commission in support of the suppression under the Plenary Powers of the name *Tylos* Meigen, 1800 (in favour of the name *Micropeza* Meigen, 1803) together with certain other generic names published by Meigen in his *Nouvelle Classification* (Alexander, 1952, *Bull. zool. Nomencl.* 6 : 172) :—

I have noted the suggestions in various publications regarding the proposed suspension of the rules in various cases. The notice to which I refer specifically is in *The Entomologist*, July 1951, pp. 164—165.

As a dipterist, I would like to vote upon the five names that you mention ; that is, *Titania*, *Dorilas*, *Tendipes*, *Philia*, and *Tylos*. In all cases I vote most strongly in favor of the 1803 names, which in all but one case are also by Meigen. I feel that these longer-used names—*Chlorops*, *Pipunculus*, *Chironomus*, *Dilophus* and *Micropeza*—should be retained. It has been argued that a great injustice has been done to Meigen by ignoring the 1800 names. I can never see the justice of such an argument, since, as is well known, Meigen was the first to ignore his 1800 names and replace them with the better known ones in 1803. If the final ruling of the Commission is to recognise the 1803 names in preference to the 1800 ones, I believe that it would establish a precedent whereby all of the (to me) obnoxious 1800 names proposed by Meigen could be discarded. There can be little question that for the past 40 years the recognition of these 1800 names has caused vast confusion. All during my entomological life we have been faced with this situation, and it is greatly to be regretted that firm steps were not taken in the matter some 40 years ago.

12. Support for Dr. Smart's counter-proposal received from Dr. F. R. Shaw (University of Massachusetts, Department of Entomology, Amherst, Mass., U.S.A.) : On 10th October, 1951 Dr. F. R. Shaw (*University of Massachusetts, Department of Entomology, Amherst, Mass., U.S.A.*) addressed the following

letter to the Commission in support of the suppression under the Plenary Powers of the generic name *Tylos* Meigen, 1800, and the other generic names published by Meigen on which applications and counter-applications had been published in Part 5 of volume 2 of the *Bulletin of Zoological Nomenclature* (Shaw, 1952, *Bull. zool. Nomencl.* 6 : 179) :—

I note in a recent issue of *The Entomologist* a statement asking specialists in Diptera to express their views on the following :—

Titania Meigen, 1800, vs. *Chlorops* Meigen, 1803

Dorilas Meigen, 1800, vs. *Pipunculus* Latreille [1802—03]

Tendipes Meigen, 1800, vs. *Chironomus* Meigen, 1803

Philia Meigen, 1800, vs. *Dilophus* Meigen, 1803

Tylos Meigen, 1800 vs. *Micropeza* Meigen, 1803.

With no exceptions I would vote against the use of the Meigen 1800 names. The names in themselves are meaningless and the fact that a later worker set up some type species, concerning which in many cases he knew nothing, would not seem to me to warrant the retention of the 1800 names.

13. Objection to Professor Aczél's proposal raised from the point of view of Isopod nomenclature by Professor A. Vandel (Laboratoire de Zoologie, Université de Toulouse, France) : On 6th June 1951 Professor A. Vandel (*Laboratoire de Zoologie, Université de Toulouse*) addressed a short letter to the Commission expressing the view that the adoption of the generic name *Tylos* Meigen, 1800, would cause grave inconvenience by invalidating the same generic name as used in the Order Isopoda ; on 20th July 1951 Professor Vandel wrote a further letter explaining that the name *Tylos* in the Isopoda had been in constant use for one hundred and twenty-five years and that the rejection of that name would therefore be open to strong objection (Vandel, 1951, *Bull. zool. Nomencl.* 2 : 347). The following are extracts from the letters referred to above :—

(a) *Extract from a letter from Professor Vandel dated 6th June 1951*

L'adoption de *Tylos* Meigen, 1800, proposée par Aczél (: 156) (mais rejeté par Smart : 158) aurait le grave inconvénient d'établir une

homonymie avec un genre bien connu d'Isopodes Oniscoïdes, *Tylos* Latreille, 1825 (*in* Audouin et Savigny).

(b) *Extract from a letter from Professor Vandel
dated 20th July 1951*

En parlant de "genre bien connu," je voulais simplement exprimer que depuis 1825 le terme de *Tylos* est adopté sans exception par tous les carcinologistes. Il serait trop long d'en donner la liste complète, mais une énumération importante a été donnée par : Stebbing (T.R.R.) —1910, "Reports on the Marine Biology of the Sudanese Red Sea" (*J. linn. Soc. Lond. (Zool.)* 31. Voir pp. 226—227).

Il serait bien fâcheux qu'un nom employé de façon constante depuis 125 ans fût rejeté.

14. Submission by Professor Vandel of a proposal that the generic name "*Tylos*" in the Class Crustacea should be validated by the suppression under the Plenary Powers of the older name "*Tylos*" Meigen, 1800 (Class Insecta): In order that the Commission, when considering this case, might have before it an account of the history and usage of the name *Tylos* Latreille, 1825, Mr. Hemming, as Secretary, addressed a letter (on 7th August 1951) asking Professor Vandel to prepare such a statement for the information of the Commission. Professor Vandel kindly undertook to do so and on 22nd November 1951 he furnished the following report (Vandel, 1952, *Bull. zool. Nomencl.* 6 : 174—176) :—

**Proposition en faveur du maintien du nom de "*Tylos*"
(Latreille MS.) Audouin, 1825⁴ (Crustacea ;
Isopoda terrestria)**

Par A. VANDEL

(Faculté des Sciences de Toulouse, France)

Position du Problème

Une discussion s'est élevée entre les entomologistes adonnés à l'étude des Diptères au sujet du choix qui s'impose entre les deux synonymes : *Tylos* Meigen, 1800, et *Micropeza* Meigen, 1803. Les carcinologistes n'ont pas à prendre parti dans ce débat. Mais, L. B. Holthuis (1951) et moi-même (Vandel, 1951) avons fait remarquer que l'adoption du terme de *Tylos* pour désigner un Diptère entraînerait

⁴ For the reason for the attribution of the date "1826" to this name in the present *Opinion* see paragraph 19.

l'abandon du nom de *Tylos* Audouin, conséquence des plus regrettables, car le nom de *Tylos* est universellement adopté pour désigner un grand genre d'Isopodes terrestres. Les carcinologistes ont de solides raisons de demander le maintien du terme de *Tylos*, ainsi qu'il ressort des remarques suivantes.

Historique du terme " *Tylos* " Audouin

Le terme de *Tylos*, en tant que dénomination appliquée à un Crustacé, apparaît dans la livraison relative aux Crustacés, parue dans la "Description de l'Egypte", et rédigée par Jean-Victor Audouin. Reproduisons la phrase dans laquelle figure l'acte de naissance du nom de *Tylos* (1ère édit., p. 96; 2ème édit., pp. 285—286): "M. Savigny avait sans doute l'intention d'établir un nouveau genre avec cette espèce qui se distingue essentiellement des cloportes, des porcellions et des armadilles, par des caractères fort tranchés. M. Latreille qui possède un individu identique, avait apprécié à leur juste valeur les divers traits de son organisation, et il s'était décidé depuis longtemps à en faire un genre distinct sous le nom de *Tylos*, que nous adoptons, en reconnaissant que M. Savigny a, de son côté, développé avec la plus grande exactitude tous ses caractères, dans les nombreuses figures qu'on a sous les yeux". C'est donc à Latreille, que nous devons le nom de *Tylos*, encore qu'il n'apparaisse qu'en 1829, dans les publications du grand entomologiste français (Latreille, 1829, p. 141). Il convient donc de désigner ce genre de la façon suivante :

Tylos (Latreille MS.) Audouin 1825.

Date de parution de l'ouvrage de Jean-Victor Audouin

La date de cet ouvrage est difficile à fixer en toute certitude. Les planches gravées par les soins de J. C. Savigny portent la mention "dessiné et gravé en 1805—1812". Mais, l'explication des planches, due à J.-V. Audouin est bien postérieure. La seule date officielle qui apparaisse dans l'ouvrage est la lettre du Ministre de l'Intérieur confiant la rédaction de l'explication des planches de J. C. Savigny à J. V. Audouin; cette lettre est datée du 19 mars 1825. Il convient, à mon sens, de s'en tenir à la date de 1825 qui est la seule à n'être point conjecturale.⁵

C. D. Sherborn (1897, p. 287) a soutenu que la livraison des Crustacés (ainsi que les autres livraisons qui constituent la Quatrième partie du Tome premier) date de 1826. C'est la même date qui figure dans le "Catalogue of the Library of the British Museum—Natural History". Il convient cependant de remarquer que l'adoption de l'année 1826 comme date de parution de l'ouvrage de J.-V. Audouin ne repose sur aucune donnée vérifiable, et qu'il est tout à fait exagéré d'affirmer que ce volume "may be safely regarded as dated 1826". L'argumentation

⁵ See footnote 4.

de Sherborn se fonde sur une citation parue dans les “ *Annales de la Société Entomologique de France* ”, t.XI, 1842, p. 99. Si l'on se reporte à cette référence, on constate qu'elle se rapporte à une notice due à la plume de M. Duponchel et consacrée à la vie et aux travaux de Jean-Victor Audouin. La phrase à laquelle Sherborn fait allusion, est la suivante : “ En 1826, le gouvernement voulant enfin terminer le grand ouvrage sur l'expédition d'Egypte, ce fut encore M. Audouin que l'Administration du Muséum désigna au ministre de l'instruction publique pour donner l'explication des planches relatives aux mollusques et aux animaux articulés, dont l'infortuné M. Savigny n'avait pas eu le temps de rédiger le texte avant de devenir aveugle ”. Or, il est manifeste que la date de 1826 mentionnée dans cette phrase résulte d'une erreur du biographe. La lettre du Ministre de l'Intérieur (et non du Ministre de l'Instruction Publique comme l'écrit Duponchel) est datée du 19 mars 1825. Le choix de J.-V. Audouin par l'administration du Muséum ne peut donc qu'être antérieure à la décision du Ministre et à la lettre dans laquelle il la notifie.

En conclusion, *il me paraît que c'est l'année 1825, et non l'année 1826, qui doit être retenue comme date de publication de l'ouvrage de J.-V. Audouin.*

Pour être complet signalons que dans la seconde édition de l'ouvrage (édition in 4°), la livraison relative à l'explication des planches de Crustacés fait partie du Tome XXII ; elle est datée de 1827. Le volume de planches correspondant est daté de 1826.

Etymologie et genre du terme de “ Tylos ”

Tylos vient du mot grec *Τύλος* (callosité, bosse). Ce nom est masculin.

Espèce type du genre “ Tylos ”

L'espèce type du genre *Tylos* est incontestablement :—

Tylos latreillei Audouin, 1825

(= *Tylos armadillo* Latreille, 1829).

Le terme de “ Tylos ” reconnu par tous les carcinologistes

Depuis la date de son institution, *c'est à dire depuis cent vingt-cinq ans*, le terme de *Tylos* a été adopté par tous les carcinologistes. Il serait hors de proportion avec l'étendue de cette note de recenser tous les auteurs qui ont fait usage de ce terme. Stebbing (1910, p. 227), et plus récemment, Holthuis (1951, p. 128) en ont dressé des listes assez complètes auxquelles je me permets de renvoyer le lecteur.

Il est peu de termes génériques s'appliquant à des Isopodes qui aient été reconnus de façon si constante et si universelle et dont la

synonymie soit aussi brève. L. Koch (1856, p. 422) a donné à *Tylos latreille* le nom de *Rhacodes inscriptus* ; mais, ce terme, révélateur d'une profonde ignorance de la bibliographie isopodologique, est, aussitôt que né, tombé en désuétude.

Subdivisions systématiques tirant leur dénomination du terme de "Tylos"

Milne-Edwards (1840, p. 186) a créé la "division des Tylosiens" pour le seul genre *Tylos*. J. Dana (1852, p. 301 ; 1853, p. 715) a, dans le même but, institué la sous-famille des "*Tylinae*". Enfin, Budde-Lund (1885, p. 272) a élevé cette coupure systématique au rang de famille ; il la nomme "*Tylides*". Sous le nom plus correct de TYLIDAE, cette famille a été reconnue par tous les carcinologistes modernes.

Conclusion

En conclusion, une unanimité, rarement atteinte en zoologie systématique, a depuis cent vingt-cinq ans consacré le terme de *Tylos* qui est adopté par tous les carcinologistes.

Propositions présentées devant la Commission de Nomenclature

La Commission de Nomenclature, agissant en vertu des Pleins Pouvoirs qui lui ont été délégués, décide :

- (1) (a) de supprimer le nom générique *Tylos* Meigen, 1800, *Nouv. Class. Mouches* : 31 ;
- (b) de valider le nom générique *Tylos* (Latreille MS.) Audouin 1825, *Descript. Egypte* ; 1^{ère} Edit., 1 (4) : 96 (espèce typique par monotypie : *Tylos latreillei* Audouin 1825, *Descript. Egypte*, 1^{ère} Edit., 1 (4) : 97). Genre du terme : masculin.
- (2) d'insérer dans l'*Official List of Generic Names in Zoology* le nom de *Tylos* Audouin 1825, validé in (1)(b) ;
- (3) d'insérer dans l'*Official Index of Rejected and Invalid Generic Names in Zoology*, le nom de *Tylos* Meigen, 1800, supprimé in (1)(a) ;
- (4) d'insérer dans l'*Official List of Specific Trivial Names in Zoology* le nom de *latreillei* Audouin 1825, comme publié dans la combinaison binominale *Tylos latreillei*.

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15. Objection to Professor Aczél's proposal from the point of view of Isopod nomenclature raised by Dr. L. B. Holthuis (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands) : On 27th July 1951 Dr. L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) addressed the following letter to the Commission objecting to Professor Aczél's application on the ground that its adoption would lead to the rejection of the generic name *Tylos* currently commonly used in the Class Crustacea (Holthuis, 1951, *Bull. zool. Nomencl.* 6 : 128) :—

Though I am not too well acquainted with Southern European and extra-European Isopods, I am glad to give you my views on the *Tylos* problem (1951, *Bull. zool. Nomencl.* 2 : 156—160), raised in the letter which Professor Albert Vandel of Toulouse has written to you on this subject.

The species of the Isopod *Tylos* (Latreille MS.) Audouin, 1826, inhabit the sandy sea shores at or slightly above high-water mark. The genus has a wide distribution in the tropical and subtropical regions of the world, Atlantic coast of Europe, south of Brittany, France ; shores of the Mediterranean and the Black Sea ; West African coast from Senegambia northwards, including the Cape Verde and Canary Islands, the Azores and Madeira ; Atlantic coast of America from Florida to Columbia, and also from the Bermudas and the West Indies ; Pacific coast of America from California to Patagonia, also from the Galapagos Islands ; Indo-West-Pacific region from the Red Sea and South Africa to Japan and New Zealand.

So far as I am aware, the generic name *Tylos* Audouin (often attributed to Latreille) is at present used for this genus of Isopods by all carcinologists. Van Name (1936, *Bull. amer. Mus. nat. Hist.* 71) used this name in his monograph "The American Land and Fresh-water Isopod Crustacea" ; so also did Barnard (1932, *Ann. S. Afr. Mus.* 30 : 179) in his treatment of the South African terrestrial Isopoda, and Jackson (1941, *Smithson. misc. Coll.* 99 (No. 8)) in his "Check-list of the terrestrial and fresh-water Isopoda of Oceania". Further, the foremost European isopodologists such as A. Vandel, K. Verhoeff, H. Strouhal and A. Arcangeli use the name *Tylos* for this well-known genus of Isopods. I am unable to find in the literature any proposal to replace the name *Tylos* Audouin on the ground that it is nomenclatorially invalid.

The genus *Tylos* Audouin is the type genus of the family TYLIDAE, which is recognised by all isopodologists.

The foregoing evidence, in my opinion, shows clearly that from the carcinological point of view, it is highly desirable that the generic name *Tylos* Audouin should be preserved for the genus of Isopoda now known by that name.

16. Objection to Professor Aczél's proposal from the point of view of Isopod nomenclature received from Dr. Werner Herold (Humboldt-Universität zu Berlin) : On 11th October 1951 Dr. Werner Herold (*Humboldt-Universität zu Berlin*) addressed the following letter to the Commission objecting to Professor Aczél's proposal and urging the validation of the name *Tylos* Latreille for use in its accustomed sense in the Order Isopoda (Class Crustacea, Order Isopoda) (Herold, 1952, *Bull. zool. Nomencl.* 6 : 173) :—

Ich bitte zu entschuldigen, dass ich aus Zeitmangel erst heute auf die Nomenklatur-Angelegenheit *Tylos* zurückkomme. Vom Standpunkt der Isopoden-Bearbeiter aus sähe ich im Fortfall der Genusbezeichnung *Tylos* eine sehr erhebliche Schwierigkeit. Seit 1826 ist dieser Genusname unbeanstandet benutzt worden und es gibt kein Synonym, das man als Ersatz vorschlagen könnte. Der Name *Tylos* ist nicht nur fortgesetzt von allen Isopoden-Spezialisten gebraucht worden, sondern ist auch vielfach in die Literatur über die Tierwelt der Höhlen übergegangen. Eine Änderung der Bezeichnung des Isopodengenus *Tylos* würde zweifellos erhebliche Verwirrung anrichten. Vom Standpunkt des Isopoden-Spezialisten aus trete ich daher trotz der Priorität der Dipterengattungsbezeichnung unbedingt für Beibehaltung der Bezeichnung *Tylos* Latreille, 1826, ein.

17. Support for Professor Vandel's counter-proposal received from Dr. Isobel Gordon (British Museum (Natural History), London) : On 29th October 1951 Dr. Isobel Gordon (*British Museum (Natural History)*), addressed a letter to the Commission commenting upon a number of cases affecting the nomenclature of the Class Crustacea, including the present case, as regards which she wrote as follows (Gordon, 1952, *Bull. zool. Nomencl.* 6 : 173) :—

I would like to support Professor A. Vandel in pleading for the retention of the generic name *Tylos* (Latreille MS.) Audouin, [1826] (Class Crustacea, Order Isopoda).

18. Support for the proposed suppression of the generic name "Tylos" Meigen, 1800, for the purpose of validating the generic name "Tylos" Audouin as used in the Order Isopoda (Class Crustacea) received from Professor Charles H. Blake (Massachusetts Institute of Technology, Cambridge, Mass., U.S.A.): On 8th August 1951 Professor Charles H. Blake (*Massachusetts Institute of Technology, Department of Biology, Cambridge, Mass., U.S.A.*) addressed a letter to the Commission commenting upon three applications then before the Commission for the use of the Plenary Powers, in which, after rejecting as unsound the proposals submitted as regards two of these names (*Crangon*; *Ligia*), he intimated his support for the use of those Powers for the purpose of providing a valid juridical basis for the continued use of the long-established generic name *Tylos* Audouin in the Order Isopoda. The portion of Professor Blake's letter dealing with this latter name was as follows (Blake, 1952, *Bull. zool. Nomencl.* 6 : 183) :—

It would appear that Meigen himself wished to suppress his names of 1800 in favour of those of 1803. And the Commission might, in *Opinion* 28, have been better advised to follow Meigen rather than the letter of the law. However, the instant case *Tylos* versus *Micropeza* is not so simple as some of the other cases may be. There is a genus *Tylos* in the Isopod Crustacea proposed by V. Audouin in 1825.⁶ This genus, which is the type genus of the family and the sole genus of the family, has enjoyed uninterrupted use since that time. There exists only one possible synonym due to L. Koch in 1856. In spite of the testimony of von Ebner in 1868, the title of Koch's name to be considered a synonym of *Tylos* is clouded. It has never been employed as an accepted generic name since 1856. We may set aside this uninterrupted use of the generic name *Tylos* against the fact that on Aczél's own showing the name was used in the Diptera only occasionally so recently as 1932 and certainly *Micropeza* is fully as well known. Parenthetically, the family name TYLIDAE in the Crustacea dates back at least to 1885, while in the Diptera it dates only from 1931. Therefore, in this case it would seem as though there would be less ultimate confusion if *Tylos* of Meigen were declared ineligible, not on the basis of a reversal of *Opinion* 28, but rather on the basis that it comes into conflict with a name in another group which has enjoyed a century and a quarter of uninterrupted use; use which dates back to the days when Meigen's own wishes with regard to the names of 1800 were followed.

⁶ See footnote 4.

19. Report by the Secretary on the question of the authorship and date to be attributed to the generic name "Tylos" as used in the Order Isopoda (Class Crustacea) : The inconsistencies in the literature as to the authorship and date to be attributed to the generic name *Tylos* as used as the name for a genus in the Order Isopoda (Class Crustacea) made it necessary for Mr. Hemming, as Secretary, to investigate this matter, it being a question which it was essential should be cleared up before the Commission reached a decision on the present case, since, whichever decision the Commission might take, it would be necessary for it to cite the foregoing name in its Ruling on the present case ; for, if the Commission were to approve Professor Aczél's proposal, it would need to place on the *Official Index of Rejected and Invalid Generic Names in Zoology* the generic name *Tylos* as used in the Class Crustacea, while, if it were to approve Professor Vandel's counter-proposal, it would need to place that generic name on the *Official List of Generic Names in Zoology*. Mr. Hemming's Report, which was completed on 6th April 1952, was as follows (Hemming, 1952, *Bull. zool. Nomencl.* 6 : 177—178) :—

On the authorship and date of publication of the generic name "Tylos" (Class Crustacea, Order Isopoda)

By FRANCIS HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature)

The present note is concerned with the question of the date to be assigned to the generic name *Tylos* (Latreille MS.) introduced by Jean-Victor Audouin for a genus of Crustacea (Order Isopoda) in the text prepared by that author for the Crustacea Section of the work by M. J. C. L. de Savigny entitled *Description de l'Égypte*, the plates of which were prepared in the period "1805—1812". This question becomes relevant to the work of the Commission because of the application for the validation of this name submitted by Professor A. Vandel (Toulouse) (1951, *Bull. zool. Nomencl.* 2 : 347 ; *id.*, 1952, *ibid.* 6 : 174—176) in opposition to the proposal previously submitted by Professor Martin L. Aczél (Tucumán) (1951, *Bull. zool. Nomencl.* 2 : 156—157) that the earlier name *Tylos* Meigen, 1800 (Class Insecta, Order Diptera) should be placed on the *Official List of Generic Names in Zoology*.

2. The authorship of the crustacean name *Tylos* has been attributed by some authors to Audouin and by others to P. A. Latreille ; the

date of publication has been treated by some authors as "1825" and by others as "1826". The position as regards these matters is discussed in the following paragraphs.

3. Authorship of the name "Tylos" as applied to a genus of Crustacea: As fully explained by Professor Vandel in the second of the two papers referred to above,⁷ the duty of preparing the text of the Crustacea Section of Savigny's *Description de l'Egypte* was undertaken by Audouin at the request of the French Government signified in a letter dated "19 mars 1825". In the absence of evidence to the contrary it must therefore certainly be concluded that for the purposes of zoological nomenclature Audouin is the author of all names published for the first time in the foregoing Section of Savigny's work. The only circumstances in which any other author could be accepted as the author of a new name in the Section prepared by Audouin would be if it could be shown that, in the case of some particular name, Audouin had done no more than publish a new name proposed by some other author, that other author's manuscript description for the genus or species concerned being at the same time published by Audouin, that description therefore forming the "indication" required by Article 25 of the *Règles*.

4. Those authors who have treated Latreille and not Audouin as the author of the name *Tylos* have based that view upon the passage in which the name *Tylos* was first introduced, which has been quoted by Professor Vandel in the more recent of the papers referred to above.⁷ It is clear from this passage that Audouin recognised that the (at that time unpublished) name *Tylos* had been proposed in manuscript by Latreille, but, in publishing that name, Audouin did not quote from Latreille's manuscripts and the words characterising the genus *Tylos* then published by Audouin were written by that author and not by Latreille. The position is therefore that, as published in the Crustacea Section of Savigny's *Description*, the name *Tylos*, though a manuscript name of Latreille's, was provided with its "indication" by Audouin and not Latreille and must therefore for the purposes of zoological nomenclature be attributed to Audouin and not to Latreille. If it were desired to indicate the full history of this name, the citation "*Tylos* (Latreille MS.) Audouin" could, as Professor Vandel has remarked, be conveniently employed.

5. Date of publication of the name "Tylos" as applied to a genus of Crustacea: The Crustacea Section of the text of Savigny's *Description de l'Egypte* is undated and it is necessary therefore to rely upon indirect methods for determining the date to be accepted for names published in it. Those authors who have accepted the date "1825" have relied upon the fact that, as pointed out by Professor Vandel (see paragraph 3 above), the task of preparing this text was committed to Audouin by the Minister of the Interior in a letter dated 19th March, 1825, and

⁷ For the paper here referred to see paragraph 14 of the present *Opinion*.

they have assumed that between that date and 31st December, 1825 the text was prepared by Audouin and actually published by the authorities. Sherborn (1897, *Proc. zool. Soc. Lond.*, 1897 : 287) examined this question and came to the conclusion that the date "1826" was to be preferred to the date "1825"; this view was re-stated by that author in 1931 (*Index Anim.*, Pars secund. : 6700) and had also in the meanwhile been adopted in 1913 by the compiler of the *Catalogue of Books . . . in the British Museum (Natural History)* (4 : 1816). Sherborn's ground for taking this view was based on an examination of all the evidence which he had been able to collect, including (1) a statement by Engelmann (*Bibl. Hist. nat.* : 340) that the Crustacea Section and six other Sections of Part 4 of volume 1 of the *Description* were published in 1826 (2) the letter dated "19 mars 1825" committing the Crustacea Section to Audouin (to which I have referred above) and a paper by Duponchel (1842) where it is stated that it was in 1826 that Audouin was invited to undertake this task (3) a statement by Dr. John Anderson that he had "ascertained that Savigny's sight failed him and that no manuscripts of any kind were handed over to Audouin, so that Audouin had to begin *de novo*".

6. The evidence discussed above is of interest from a bibliographical point of view but up to 1948 it had no definite bearing on the question of the dates to be assigned to new names in the Crustacea Section of the *Description*, for prior to that year there existed no provisions in the *Règles* for determining the date to be assigned to a zoological name where the date of publication of that name was not known. In 1948 however, the Thirteenth International Congress of Zoology decided to insert in the *Règles* provisions for regulating this matter (1950, *Bull. zool. Nomencl.* 4 : 223—225). Under that decision a name is to be deemed to have been published on the date specified in the work concerned as the date of publication (if any such date is so specified) unless and until evidence is forthcoming to show that that date is incorrect and, where no date of publication is given in the work concerned, a name published in that book is to be treated as having been published on a date determined in accordance with a series of rules there laid down, the general effect of which is that such a name is to take priority only as from a date by which evidence may be found that publication had actually taken place.

7. Turning back to the Crustacea Section of Savigny's *Description*, we find that the only date mentioned in it is the date "19 mars 1825", as the date on which the Minister of the Interior asked Audouin to undertake the preparation of the text. So far as the original publication is concerned, the only evidence provided is that at earliest Audouin cannot have begun to write the text until after having received the Minister's invitation of 19th March, 1825. Publication cannot therefore have taken place until such time as, after 19th March, 1825, (1) Audouin wrote the text and (2) that text was printed and published, a twofold

process which must have occupied a considerable time and is most unlikely to have been completed in so short a period as nine and a half months (mid-March to end-December), more especially in view of the evidence of Dr. Anderson that Audouin received no manuscripts from Savigny and had therefore to write the entire text himself. In such circumstances publication could hardly have taken place within twelve months at the earliest of the time when Audouin was invited to prepare the text. In other words, the year 1826 must be regarded as the earliest year in which this Section can have been published. There is no direct evidence that this Section was in fact published as early as 1826 and the possibility that publication did not take place until 1827 or even later cannot be excluded. We have, however, the statement by Engelmann that publication took place in 1826 and the similar conclusion reached by Sherborn. On balance, it would seem reasonable to conclude (1) that the name *Tylos* Audouin was published before the end of 1826 but (2) that it is extremely improbable that it was published before the opening of that year. On this basis we should adopt the year "1826" as that in which this name was published. That date, being derived solely from indirect sources, should, when cited, be enclosed within square brackets, as prescribed in such cases by the International Congress of Zoology (see 1950, *Bull. zool. Nomencl.* 4 : 226, Point (c)).

8. Conclusions : The conclusions derived from the foregoing review may be summarised as follows :—

- (1) The name *Tylos*, as a name for a genus of Crustacea, was originally proposed in manuscript by Latreille ; it was first published by Audouin ; the "indication" by which it was accompanied when it was so published was provided by Audouin and not by means of a quotation from a manuscript of Latreille's. The name *Tylos* is therefore attributable for nomenclatorial purposes to Audouin and not to Latreille, though it would be permissible, if it were so desired, to cite this name as "*Tylos* (Latreille MS) Audouin".
- (2) The work in which the name *Tylos* Audouin was published is undated, and the date to be attributed to that name can therefore be ascertained only by indirect evidence. On balance it appears that the most probable date for the publication of this name is 1826.
- (3) In the light of (1) and (2) above, this name should be cited as "*Tylos* Audouin, [1826]" or if so preferred, as "*Tylos* (Latreille MS.) Audouin, [1826]".

20. Submission to the Commission in 1954 of alternative methods for reaching a settlement of the "Tylos" problem : Owing, in

the first instance, to the need for devoting the entire resources of the Office of the Commission to the preparations for the meetings in regard to zoological nomenclature arranged to be held at Copenhagen in July 1953 and, later, to the need for arranging for the preparation and publication of the book containing the Official Record of the decisions taken in this field by the Fourteenth International Congress of Zoology, Copenhagen, 1953, it was not until the beginning of 1954 that it was possible to resume consideration of the present case. The procedural issues were somewhat complicated by reason of the fact that, in addition to the original proposal submitted by Professor Aczél (paragraph 1 of the present *Opinion*) and Dr. Smart's counter-proposal (paragraph 4 of the present *Opinion*), both of which were concerned exclusively with the impact on the literature of the Order Diptera (Class Insecta) of whatever decision was taken by the Commission, there had been received during the course of the discussion of this case a second counter-proposal drawn up from an entirely different standpoint. This second counter-proposal was submitted by Professor Vandel (paragraph 14 of the present *Opinion*) from the point of view of the literature of the Order Isopoda (Class Crustacea) and was designed to secure the validation of the name *Tylos* Audouin, [1826], for use in that Order by the suppression under the Plenary Powers of the earlier homonym *Tylos* Meigen, 1800. Thus, whatever decision the Commission might take, it would be necessary to supplement to some extent the proposal submitted ; if the Commission were to decide in favour of retaining the name *Tylos* Meigen, it would need to incorporate in its decision not only the proposals submitted by Professor Aczél but in addition also such Rulings as would be needed to cover the rejection of Professor Vandel's counter-proposal ; if on the other hand the Commission were to decide, so far as the Diptera portion of the case was concerned, to reject Professor Aczél's proposal and to approve Dr. Smart's counter-proposal in favour of the name *Micropeza* Meigen, it would need to incorporate in its Ruling such additional particulars as would be needed at the same time to give approval to Professor Vandel's proposal in relation to the name of the Isopod genus *Tylos*. Mr. Hemming accordingly prepared for the consideration of the Commission two alternative Rulings, both of which would provide a decision, though in opposite senses, on all the questions raised in Professor Aczél's application and in the

counter-applications submitted respectively by Dr. Smart and Professor Vandel. The alternative Rulings so prepared were the following :—

Alternative “ A ”

(combination of the Smart and Vandel proposals favouring “ *Tylos* ” Audouin (Isopoda) and “ *Micropeza* ” (Diptera) and opposed to “ *Tylos* ” (Diptera))

(1) Under the Plenary Powers the name *Tylos* Meigen, 1800, is hereby suppressed for the purposes both of the Law of Priority and of the Law of Homonymy.

(2) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* :—(a) *Tylos* (Latr. MS) Audouin, [1826] (gender : masculine) (type species, by monotypy : *Tylos latreillei* Audouin, [1826]) ; (b) *Micropeza* Meigen, 1803 (gender : feminine) (type species, by monotypy : *Musca corrigiolata* Linnaeus, 1767).

(3) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* :—(a) *latreillei* Audouin, [1826], as published in the combination *Tylos latreillei* (specific name of type species of *Tylos* Audouin, [1826]) ; (b) *corrigiolata* Linnaeus, 1767, as published in the combination *Musca corrigiolata* (specific name of type species of *Micropeza* Meigen, 1803).

(4) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* :—*Tylos* Meigen, 1800, as suppressed under the Plenary Powers under (1) above.

Alternative “ B ”

(combination of the Aczél (pro-“ *Tylos* ” Meigen, 1800) proposal with the consequential action needed if the Vandel (pro-“ *Tylos* ” Audouin) proposal (= Alternative “ A ” above) is rejected)

(1) The generic name *Tylos* Meigen, 1800 (gender : masculine) (type species, by selection by Coquillett (1910) : *Musca corrigiolata*

Linnaeus, 1767) is hereby placed on the *Official List of Generic Names in Zoology*.

(2) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*:—(a) *Micropeza* Meigen, 1803 (a junior objective synonym of *Tylos* Meigen, 1800); (b) *Tylos* (Latr., MS) Audouin, [1826] (a junior homonym of *Tylos* Meigen, 1800).

(3) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology*:—(a) *corrigiolata* Linnaeus, 1767, as published in the combination *Musca corrigiolata* (specific name of type species of *Tylos* Meigen, 1800); (b) *latreillei* Audouin, [1826], as published in the combination *Tylos latreillei*.

III.—THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

21. Issue of Voting Paper V.P.(54)25 : On 6th March 1954 a Voting Paper (V.P.(54)25) was issued in which the Members of the Commission were invited to vote “for the proposal relating to the names *Tylos* Meigen (Diptera), *Tylos* Audouin (Isopoda) and *Micropeza* Meigen (Diptera) set out in the annexed sheet either as Alternative ‘A’ (supporting *Tylos* (Isopoda) and *Micropeza* (Diptera)) or as Alternative ‘B’ (supporting *Tylos* (Diptera) as against *Tylos* (Isopoda) and *Micropeza* (Diptera))”. The Alternatives referred to as Alternatives “A” and “B” in the foregoing Voting Paper are those set out in paragraph 20 of the present *Opinion*.

22. The Prescribed Voting Period for Voting Paper V.P.(54)25 : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 6th June 1954.

23. Particulars of the Voting on Voting Paper V.P.(54)25 : At the close of the Prescribed Voting Period the state of the voting on Voting Paper V.P.(54)24 was as follows :—

(a) *Votes in favour of Alternative “ A ” had been given by the following nineteen (19) Commissioners (arranged in the order in which Votes were received) :*

Holthuis ; Hering ; Riley ; Lemche ; Vokes ; do Amaral ; Esaki ; Dymond ; Bonnet ; Boschma ; Hemming ; Mertens ; Jaczewski ; Pearson ; Sylvester-Bradley ; Bradley (J.C.) ; Hankó ; Stoll ; Cabrera ;

(b) *Votes in favour of Alternative “ B ” :*

None ;

(c) *Voting Papers not returned :*

None.

24. Declaration of Result of Vote on Voting Paper V.P.(54)25 : On 6th June 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(54)25, signed a Certificate that the Votes cast were as set out in paragraph 23 above and declaring that the proposal submitted as Alternative “ A ” in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

25. Position of the generic name “Tylos” Heyden, 1826, as a possible senior homonym of “Tylos” Audouin, [1826] : When in January 1955 Mr. Hemming, as Secretary, came to prepare the *Opinion* required to give effect to the decision in regard to the names *Tylos* Meigen, 1800, and *Tylos* Audouin, [1826], taken by the Commission in its vote on Voting Paper V.P.(54)25, a problem emerged which had not previously been considered by the Commission, namely the possibility that the generic name *Tylos* Heyden, 1826 (Class Arachnida) might be a senior homonym of the generic name *Tylos* Audouin, [1826] (Class Crustacea), the preservation of which it had been the object of the Commission to secure. Accordingly, after consultations in regard to the current status of the name *Tylos* Heyden in the Class Arachnida, Mr. Hemming on 26th January 1955 submitted the following paper to the Commission for consideration :—

Need for dealing with the generic name “Tylos” Heyden, 1826 (Class Arachnida) in connection with the validation under the Plenary Powers of the generic name “Tylos” (Latreille MS.) Audouin, [1826] (Class Crustacea, Order Isopoda)

By FRANCIS HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature)

The present paper is concerned with a small point which has arisen in the course of preparing the *Opinion* required to give effect to a decision taken by the Commission to validate under its Plenary Powers the important generic name *Tylos* (Latreille MS.) Audouin, [1826] in the Isopoda. The facts of this case are set out briefly below.

2. By a vote taken last year (on Voting Paper V.P.(54)25) the Commission unanimously decided (by a full vote of the nineteen members of the Commission) to suppress the generic name *Tylos* Meigen, 1800 (Class Insecta, Order Diptera), a name which had only come into use fairly recently and which was still rejected by many dipterists in favour of the long-established name *Micropeza* Meigen, 1803. Although originally put forward by dipterists as a means for preserving the name *Micropeza* (Smart, *Bull. zool. Nomencl.* **2** : 158—

159), this proposal was found to be of even greater interest to specialists in the Order Isopoda (Class Crustacea), since for as long as the name *Tylos* Meigen, 1800, remained an available name, the very well-known generic name *Tylos* in the Isopoda, which has given its name to a long-established family TYLIDAE, was technically invalid, as a junior homonym of *Tylos* Meigen in the Diptera (Vandel, *ibid.* 2 : 347 ; 6 : 174—176).

3. Both the authorship and the date of publication of the Isopod generic name *Tylos* have been the subject of discussion. This name has been attributed by some authors to Latreille and by others to Audouin. It has commonly, though incorrectly, been treated as having been published in 1825. These subjects were discussed while the *Tylos* application was under consideration in a note in which I showed (a) that, although the name *Tylos* was first proposed in manuscript by Latreille, it was first published by Audouin, to whom therefore it must be attributed, and (b) that, although there was some doubt as to when this name was first published, publication could not have taken place before the year 1826 (Hemming, 1952, *Bull. zool. Nomencl.* 6 : 177—178).⁸

4. For so long as the name *Tylos* Audouin was considered to have been published in 1825, all that was needed to validate it was the suppression by the Commission under its Plenary Powers of the earlier name *Tylos* Meigen, 1800. This was the proposal which was therefore laid before the Commission. Unfortunately, at the time when I reached the conclusion that the Isopod *Tylos* could not be dated earlier than 1826, I overlooked the existence of a generic name *Tylos* in the Class Arachnida also published in 1826 and therefore possibly before the Isopod *Tylos*. This was the name *Tylos* Heyden 1826 (*Isis* (Oken) 1826 : 610). This complication only came to light recently when I made a final check-up of the bibliographical references involved in this case.

5. In view of the fact that *Tylos* Heyden was an invalid junior homonym of *Tylos* Meigen and that no communication on behalf of *Tylos* Heyden had been received from any arachnologist at the time when the prescribed Public Notice was given of the proposed use of the Plenary Powers for the purpose of validating the Isopod name *Tylos* Audouin, [1826], it seemed highly unlikely that there could be any objection from the arachnological point of view to the suppression of the name *Tylos* Heyden. I took the view, however, that the first step which required to be taken was to ascertain the current status of the name *Tylos* Heyden in the Class Arachnida.

6. I accordingly consulted Dr. G. O. Evans, the specialist in charge of the Arachnida at the British Museum (Natural History). Dr.

⁸ The text of the paper here referred to has been reproduced in paragraph 19 of the present *Opinion*.

Evans has now (12th January 1955) informed me that the name *Tylos Heyden* was established for a genus of mites, that its type species (*Tylos doliaris* Heyden, 1826, then a new species) is unrecognisable, that the name has not been used in the literature of the Class Arachnida by any author during the last seventy-five years and consequently that there would not be the slightest objection to the suppression of this name for the purpose of providing a secure nomenclatorial basis for the name *Tylos* Audouin in the Isopoda.

7. The very helpful communication received from Dr. Evans makes it clear that the field is now set for the Commission to take the action still required to complete the decision already adopted that the name *Tylos* Audouin, [1826] (Class Crustacea, Order Isopoda) be validated under the Plenary Powers. I accordingly now ask the International Commission to supplement the decision which it has already taken in this matter by the following action, namely :—

- (1) the suppression under the Plenary Powers of the generic name *Tylos* Heyden, 1826, for the purposes both of the Law of Priority and of the Law of Homonymy ;
- (2) the addition of the generic name *Tylos* Heyden, 1826, as suppressed under the Plenary Powers under (1) above, to the *Official Index of Rejected and Invalid Generic Names in Zoology*.

26. Issue of Voting Paper V.P.(O.M.)(55)2 : On 26th January 1955, a Voting Paper (V.P.(O.M.)(55)2) was issued in which the Members of the Commission were invited to vote either for, or against, “the adoption of the supplementary proposals relating to the generic name *Tylos* Audouin, [1826], recommended in paragraph 7 of the memorandum by the Secretary, numbered Z.N.(S.)501, submitted simultaneously with the present Voting Paper” [i.e. in paragraph 7 of the memorandum reproduced in paragraph 25 of the present *Opinion*].

27. The Prescribed Voting Period for Voting Paper V.P.(O.M.)(55)2 : As the foregoing Voting Paper was issued under the One-Month Rule, the Prescribed Voting Period closed on 26th February 1955.

28. Particulars of the Voting on Voting Paper V.P.(O.M.) (55)2 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(O.M.)(55)2 was as follows :—⁹

(a) *Affirmative Votes had been given by the following twenty-one (21) Commissioners (arranged in the order in which Votes were received) :*

Sylvester-Bradley ; Lemche ; Boschma ; Riley ; Hering ; Vokes ; Mayr ; Kühnelt ; Bodenheimer ; Key ; Jaczewski ; Esaki ; Stoll ; do Amaral ; Hemming ; Dymond ; Tortonese ; Bradley (J.C.) ; Miller ; Cabrera ; Bonnet ;

(b) *Negative Votes :*

None ;

(c) *On Leave of Absence, two (2) :*

Holthuis ; Mertens ;

(d) *Voting Papers not returned, two (2) :*

Hankó¹⁰ ; Prantl.

⁹ Between the taking of the vote on Voting Paper V.P.(54) 25 and of that on Voting Paper V.P.(O.M.)(55)2, one Member of the Commission (Dr. Joseph Pearson) had retired and seven new Commissioners had been elected, the total membership thus being increased from 19 to 25. The newly-elected Commissioners were the following :—

Dr. K. H. L. Key (*Commonwealth Scientific and Industrial Research Organisation, Canberra, A.C.T., Australia*)

Dr. Alden H. Miller (*Museum of Vertebrate Zoology, University of California, Berkeley, California, U.S.A.*)

Doc. Dr. Ferdinand Prantl (*Národní Museum v Praze, Prague, Czechoslovakia*)
Professor Dr. Wilhelm Kühnelt (*Zoologisches Institut der Universität, Vienna, Austria*)

Professor F. S. Bodenheimer (*The Hebrew University, Jerusalem, Israel*)

Professor Ernst Mayr (*Museum of Comparative Zoology at Harvard College, Cambridge, Massachusetts, U.S.A.*)

Professor Enrico Tortonese (*Istituto e Museo di Zoologia della Università di Torino, Torino, Italy*)

¹⁰ Commissioner Hankó returned (on 11th March, 1955) a late affirmative vote.

29. Declaration of Result of Vote on Voting Paper V.P. (O.M.) (55)2 : On 27th February 1955, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(O.M.)(55)2, signed a Certificate that the Votes cast were as set out in paragraph 28 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

30. Preparation of the Ruling given in the present "Opinion" : On 1st March 1955, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(54)25, as supplemented by its Vote on Voting Paper V.P.(O.M.)(55)2.

31. Original references : The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

corrigiolata, *Musca*, Linnaeus, 1767, *Syst. Nat.* (ed. 12) **1**(2) : 955
latreillei, *Tylos*, Audouin, [1826], in Savigny, *Descr. Egypte*
1(4) (Expl. somm. Planch. Crust.) : 97

Micropeza Meigen, 1803, *Mag. f. Insektenk.* (Illiger) **2** : 276

Tylos Meigen, 1800, *Nouv. Class. Mouches deux Ailes* : 31

Tylos Audouin, [1826], in Savigny, *Descr. Egypte* **1**(4) (Expl. somm. Planch. Crust.) : 96

Tylos Heyden, 1826, *Isis* (Oken) **1826** : 610

32. Family-group name aspect : The application dealt with in the present *Opinion* was published in the *Bulletin of Zoological Nomenclature* prior to the establishment of the *Official List of Family-Group Names in Zoology* by the Fourteenth International Congress of Zoology, Copenhagen, 1953. It has not been possible since then to deal with this aspect of the present case. This question is, however, now being examined on a separate File to which the Registered Number Z.N.(G.) 125 has been allotted.

33. At the time of the submission of the present application the name applicable to the second portion of a binomen was "trivial name". This was altered to "specific name" by the Fourteenth International Congress of Zoology, Copenhagen, 1953, which at the same time made corresponding changes in the titles of the *Official List* and *Official Index* of names of this category. These changes in terminology have been incorporated in the Ruling given in the present *Opinion*.

34. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

35. The present *Opinion* shall be known as *Opinion* Three Hundred and Sixty-Nine (369) of the International Commission on Zoological Nomenclature.

DONE in London, this First day of March, Nineteen Hundred and Fifty-Five.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING